

The Commonwealth of Massachusetts
Public Employee Retirement Administration Commission
John W. McCormack Building, Room 1101
One Ashburton Place Boston, MA 02108
(617) 727-9380

MEMORANDUM

TO: All Retirement Boards

FROM: Robert F. Stalnaker, Executive Director

RE: Designation of Neutral Physicians by Retirement Boards

DATE: April 18, 1997

In response to a number of requests for clarification and guidance regarding the appointment of neutral physicians to assist retirement boards, the following process should be followed until the Commission establishes final regulations and procedures dealing with this matter.

G.L. c. 32, §20(5)(d) as amended by section 25 of chapter 306 of the acts of 1996 provides that retirement boards:

. . . “shall designate a neutral medical doctor or doctors with training or experience in the particular field of medicine applicable to the disability to advise the board in the determination of applications for ordinary disability retirement, accidental disability retirement, or in the case of an application for accidental death benefit.”

The section does not require the appointment of a neutral physician at any particular time or at any specified stage of the application process. In each application, the timing of the appointment of the neutral physician will be determined by the retirement board with respect to its need for assistance and advice in the application under review.

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The neutral physician is to advise and assist the retirement board. The neutral physician will not vote on the application nor may his or her opinion be substituted for the certification and narrative of the regional medical panel.

As with physicians who have treated a member, the neutral physician cannot be appointed to a regional medical panel convened with respect to the same member. It is imperative, therefore, that the board include the names of any board-designated neutral physician who has had involvement with an application in the list of physicians that appears on any medical panel request form submitted in connection with an application for disability or death benefits.

G.L. c. 32, §20(5)(d) provides that the neutral physician have training or experience in the particular field of medicine applicable to the disability under consideration. Commercially published directories that show specialty certification are available in hard copy and electronic media. The Medical Board of Registration publishes a directory of physicians licensed in Massachusetts which identifies the specialty areas of physicians. If we can be of assistance in this regard, please contact our office.

/sjk

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